

OGC Has Reviewed

27 May 1968

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Retirement Extensions

1. This memorandum submits a recommendation for your approval; such recommendation is contained in paragraph 4.

2. Under present procedures, requests for extensions of employment beyond scheduled retirement dates are forwarded to the Director for approval. Normally, these requests are for substantial periods of time and the documentation submitted to the Director includes a precise statement of the duration of the extension and the new effective date. There are, however, certain cases which do not appear to warrant the documentation and compliance with procedures normally associated with the handling of extension requests. Yet because the cases require an adjustment of scheduled retirement dates, these must be prepared for submission to the Director even though relatively short periods of time are involved. Examples follow:

a. Under current retirement policy, employees covered by the Civil Service Retirement Act are required to retire at age 60 if they have 20 years of service or age 62 if they have at least five years of service. The exact date of retirement could fall in the middle of a week or pay period and for administrative reasons, it is more orderly to effect retirement at the end of the week or pay period.

b. Under retirement procedures odd days are dropped and are not used in computing an employee's retirement annuity. By permitting the employee to remain on duty for enough additional days to round out a full month, his annuity will be improved by an additional month's service. There have been actual instances where employees needed only a few extra days in order to obtain an additional month's creditable service.

c. In the pre-retirement counseling of a prospective retiree, he is informed that he will receive, after retirement, a lump-sum payment of his unused annual leave ceiling maximum. If our review of the employee's leave record discloses that he will have some excess annual leave which will not be included in the lump-sum terminal leave payment,

the employee is advised to make arrangements to use the excess leave if he does not wish to lose it. Occasionally, the employee is unable to take the necessary leave. When this results because of duty requirements, it seems appropriate to consider extending his retirement date to permit him to use the excess leave.

3. From a technical standpoint, each of the examples noted above and other similar situations require the submission of extension requests to the Director. Normally not more than 60 days is involved, and the cases could be resolved if an appropriate delegation of authority were made authorizing the Director of Personnel to approve retirement extensions up to 60 days.

4. It is recommended, therefore, that the Director of Personnel be authorized to approve requests for extensions of scheduled or mandatory retirement dates for periods not to exceed 60 days.

Robert E. Wattles
Director of Personnel

Concur: SIGNED 27 May 1968
General Counsel **Date**

*These requests will be processed normally through the Retirement Board.

Concur: * SIGNED 31 May 1968
Deputy Director for Support **Date**

The recommendation contained in paragraph 4 is approved:

SIGNED 5 June 1968
Director of Central Intelligence **Date**

Distribution:

0 - Return to D/Pers
1 - ER
1 - DDCI
2 - DDS

ADMINISTRATIVE — INTERNAL USE ONLY

1 - OGC
1 - D/Pers
1 - DD/Pers/SP

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM					
UNCLASSIFIED		CONFIDENTIAL		SECRET	
OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	Deputy Director of Personnel				
2					
3	✓				
4	OGC SUBJECT RETIREMENT				
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks: Harry: Attached is your draft delegation of authority in connection with which you raised the question of the delegation of the Director's authority to extend participants in the CIA retirement system after age 60. We have found no expression of congressional intent in connection with this authority given to the Director by statute, but on the other hand we can find nothing which prohibits such delegation. We believe, therefore, there would be no objection to delegation to the Director of Personnel for the limited time and purpose which is proposed in your paper. Any such					
FOLD HERE TO RETURN TO SENDER (over)					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
General Counsel				5/17/68	
UNCLASSIFIED		CONFIDENTIAL		SECRET	

FORM NO.
1-67

237

Use previous editions

(40)

extension would be based on the Director of Personnel's determination that the extension of service was in the public interest, and it would appear that extensions for short periods for the benefit of employees would be in the public interest. [REDACTED] contains a delegation to the Director of Personnel of all authorities necessary to the administration of the system except those which are specifically reserved to the Director in this regulation. Since [REDACTED] which has the authority to extend participants' service beyond the mandatory retirement age, provides that the Director shall make the necessary determination, this authority is apparently reserved to him and a specific delegation is, therefore, required. Your proposed paper would appear to be appropriate for this purpose, although in paragraph 4 the words "or mandatory" should be inserted after the word "scheduled" to make quite clear that the statutory extension is also provided for.

LRHouston

*Ref. file
May 68*

EO/OP

D/Pers

This memo had been reviewed by Larry Houston in draft. His routing sheet response is attached and the final paper now includes the suggestion Houston made in his last sentence.

STATINTL DD/Pers/SP [REDACTED]